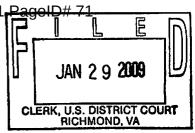
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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division



BARRY LYNN VIA,

Plaintiff,

v.

Civil Action No.3:07CV778

HELEN F. FAHEY, et al.,

Defendants.

FINAL ORDER

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that:

- Via's objections to the Report and Recommendation (Docket
 No. 15) are OVERRULED;
 - 2. The Report and Recommendation is ACCEPTED AND ADOPTED;
 - The action is DISMISSED; and,
- 4. The Clerk is DIRECTED to note the disposition of the action for purposes of 28 U.S.C. § 1915(g).

Via may appeal the decision of the Court. Failure to file written notice of appeal within thirty (30) days of the date of entry hereof may result in the loss of the right to appeal.

The Clerk is DIRECTED to send a copy of this Order to Via. And it is so ORDERED.

Robert E. Payne

Senior United States District Judge

Date: 28, 2009
Richmond, Virginia